



General Assembly

February Session, 2020

***Raised Bill No. 220***

LCO No. 1687



Referred to Committee on VETERANS' AFFAIRS

Introduced by:  
(VA)

***AN ACT EXPANDING CERTAIN VETERANS' ELIGIBILITY FOR PUBLIC ASSISTANCE PROGRAMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 17b-28i of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
3 *2020*):

4 (a) To the extent permissible by federal law, the Commissioner of  
5 Social Services shall disregard federal Veterans Pension benefits,  
6 Housebound benefits, Survivors Pension benefits and Aid and  
7 Attendance [pension] benefits granted to a veteran or the surviving  
8 spouse of such veteran when determining income eligibility for the  
9 state's Medicare savings, medical assistance and energy assistance  
10 programs administered under section 17b-2. As used in this subsection,  
11 "veteran" means any person (1) honorably discharged from, or released  
12 under honorable conditions from active service in, the armed forces, as  
13 defined in section 27-103, or (2) with a qualifying condition, as defined  
14 in said section, who has received a discharge other than bad conduct or  
15 dishonorable from active service in the armed forces.

16       Sec. 2. Subsection (a) of section 17b-104 of the 2020 supplement to the  
17 general statutes is repealed and the following is substituted in lieu  
18 thereof (*Effective July 1, 2020*):

19       (a) The Commissioner of Social Services shall administer the program  
20 of state supplementation to the Supplemental Security Income Program  
21 provided for by the Social Security Act and state law. The commissioner  
22 may delegate any powers and authority to any deputy, assistant,  
23 investigator or supervisor, who shall have, within the scope of the  
24 power and authority so delegated, all of the power and authority of the  
25 Commissioner of Social Services. The commissioner shall establish a  
26 standard of need based on the cost of living in this state for the  
27 temporary family assistance program and the state-administered  
28 general assistance program. The commissioner shall make a  
29 reinvestigation, at least every twelve months, of all cases receiving aid  
30 from the state, except that such reinvestigation may be conducted every  
31 twenty-four months for recipients of assistance to the elderly or disabled  
32 with stable circumstances, and shall maintain all case records of the  
33 several programs administered by the Department of Social Services so  
34 that such records show, at all times, full information with respect to  
35 eligibility of the applicant or recipient. In the determination of need  
36 under any public assistance program, such income or earnings shall be  
37 disregarded as federal law requires, and such income or earnings may  
38 be disregarded as federal law permits. In determining eligibility, the  
39 commissioner shall disregard from income federal Veterans Pension  
40 benefits, Housebound benefits, Survivors Pension benefits and Aid and  
41 Attendance [pension] benefits granted to a veteran, as defined under  
42 section 27-103, or the surviving spouse of such veteran. The  
43 commissioner shall encourage and promulgate such incentive earning  
44 programs as are permitted by federal law and regulations.

45       Sec. 3. Subsection (c) of section 17b-191 of the general statutes is  
46 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
47 *2020*):

48       (c) To be eligible for cash assistance under the program, a person shall

49 (1) be (A) eighteen years of age or older; (B) a minor found by a court to  
50 be emancipated pursuant to section 46b-150; or (C) under eighteen years  
51 of age and the commissioner determines good cause for such person's  
52 eligibility, and (2) not have assets exceeding two hundred fifty dollars  
53 or, if such person is married, such person and his or her spouse shall not  
54 have assets exceeding five hundred dollars. In determining eligibility,  
55 the commissioner shall not consider as income federal Veterans Pension  
56 benefits, Housebound benefits, Survivors Pension benefits and Aid and  
57 Attendance [pension] benefits granted to a veteran, as defined in section  
58 27-103, or the surviving spouse of such veteran. No person who is a  
59 substance abuser and refuses or fails to enter available, appropriate  
60 treatment shall be eligible for cash assistance under the program until  
61 such person enters treatment. No person whose benefits from the  
62 temporary family assistance program have terminated as a result of  
63 time-limited benefits or for failure to comply with a program  
64 requirement shall be eligible for cash assistance under the program.

65 Sec. 4. Section 17b-256f of the general statutes is repealed and the  
66 following is substituted in lieu thereof (*Effective July 1, 2020*):

67 The Commissioner of Social Services shall increase income disregards  
68 used to determine eligibility by the Department of Social Services for the  
69 federal Qualified Medicare Beneficiary, the Specified Low-Income  
70 Medicare Beneficiary and the Qualifying Individual programs,  
71 administered in accordance with the provisions of 42 USC 1396d(p), by  
72 such amounts that shall result in persons with income that is (1) less  
73 than two hundred eleven per cent of the federal poverty level qualifying  
74 for the Qualified Medicare Beneficiary program, (2) at or above two  
75 hundred eleven per cent of the federal poverty level but less than two  
76 hundred thirty-one per cent of the federal poverty level qualifying for  
77 the Specified Low-Income Medicare Beneficiary program, and (3) at or  
78 above two hundred thirty-one per cent of the federal poverty level but  
79 less than two hundred forty-six per cent of the federal poverty level  
80 qualifying for the Qualifying Individual program. The commissioner  
81 shall not apply an asset test for eligibility under the Medicare Savings  
82 Program. The commissioner shall not consider as income federal

83 Veterans Pension benefits, Housebound benefits, Survivors Pension  
84 benefits and Aid and Attendance [pension] benefits granted to a  
85 veteran, as defined in section 27-103, or the surviving spouse of such  
86 veteran. The Commissioner of Social Services, pursuant to section 17b-  
87 10, may implement policies and procedures to administer the provisions  
88 of this section while in the process of adopting such policies and  
89 procedures in regulation form, provided the commissioner prints notice  
90 of the intent to adopt the regulations on the department's Internet web  
91 site and the eRegulations System not later than twenty days after the  
92 date of implementation. Such policies and procedures shall be valid  
93 until the time final regulations are adopted.

94 Sec. 5. Subsection (a) of section 17b-261 of the 2020 supplement to the  
95 general statutes is repealed and the following is substituted in lieu  
96 thereof (*Effective July 1, 2020*):

97 (a) Medical assistance shall be provided for any otherwise eligible  
98 person whose income, including any available support from legally  
99 liable relatives and the income of the person's spouse or dependent  
100 child, is not more than one hundred forty-three per cent, pending  
101 approval of a federal waiver applied for pursuant to subsection (e) of  
102 this section, of the benefit amount paid to a person with no income  
103 under the temporary family assistance program in the appropriate  
104 region of residence and if such person is an institutionalized individual  
105 as defined in Section 1917 of the Social Security Act, 42 USC 1396p(h)(3),  
106 and has not made an assignment or transfer or other disposition of  
107 property for less than fair market value for the purpose of establishing  
108 eligibility for benefits or assistance under this section. Any such  
109 disposition shall be treated in accordance with Section 1917(c) of the  
110 Social Security Act, 42 USC 1396p(c). Any disposition of property made  
111 on behalf of an applicant or recipient or the spouse of an applicant or  
112 recipient by a guardian, conservator, person authorized to make such  
113 disposition pursuant to a power of attorney or other person so  
114 authorized by law shall be attributed to such applicant, recipient or  
115 spouse. A disposition of property ordered by a court shall be evaluated  
116 in accordance with the standards applied to any other such disposition

117 for the purpose of determining eligibility. The commissioner shall  
118 establish the standards for eligibility for medical assistance at one  
119 hundred forty-three per cent of the benefit amount paid to a household  
120 of equal size with no income under the temporary family assistance  
121 program in the appropriate region of residence. In determining  
122 eligibility, the commissioner shall not consider as income federal  
123 Veterans Pension benefits, Housebound benefits, Survivors Pension  
124 benefits and Aid and Attendance [pension] benefits granted to a  
125 veteran, as defined in section 27-103, or the surviving spouse of such  
126 veteran. Except as provided in section 17b-277 and section 17b-292, the  
127 medical assistance program shall provide coverage to persons under the  
128 age of nineteen with household income up to one hundred ninety-six  
129 per cent of the federal poverty level without an asset limit and to  
130 persons under the age of nineteen, who qualify for coverage under  
131 Section 1931 of the Social Security Act, with household income not  
132 exceeding one hundred ninety-six per cent of the federal poverty level  
133 without an asset limit, and their parents and needy caretaker relatives,  
134 who qualify for coverage under Section 1931 of the Social Security Act,  
135 with household income not exceeding one hundred fifty-five per cent of  
136 the federal poverty level without an asset limit. Such levels shall be  
137 based on the regional differences in such benefit amount, if applicable,  
138 unless such levels based on regional differences are not in conformance  
139 with federal law. Any income in excess of the applicable amounts shall  
140 be applied as may be required by said federal law, and assistance shall  
141 be granted for the balance of the cost of authorized medical assistance.  
142 The Commissioner of Social Services shall provide applicants for  
143 assistance under this section, at the time of application, with a written  
144 statement advising them of (1) the effect of an assignment or transfer or  
145 other disposition of property on eligibility for benefits or assistance, (2)  
146 the effect that having income that exceeds the limits prescribed in this  
147 subsection will have with respect to program eligibility, and (3) the  
148 availability of, and eligibility for, services provided by the Nurturing  
149 Families Network established pursuant to section 17b-751b. For  
150 coverage dates on or after January 1, 2014, the department shall use the  
151 modified adjusted gross income financial eligibility rules set forth in

152 Section 1902(e)(14) of the Social Security Act and the implementing  
153 regulations to determine eligibility for HUSKY A, HUSKY B and  
154 HUSKY D applicants, as defined in section 17b-290. Persons who are  
155 determined ineligible for assistance pursuant to this section shall be  
156 provided a written statement notifying such persons of their ineligibility  
157 and advising such persons of their potential eligibility for one of the  
158 other insurance affordability programs as defined in 42 CFR 435.4.

159 Sec. 6. Subsection (l) of section 17b-342 of the general statutes is  
160 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
161 *2020*):

162 (l) In determining eligibility for the program described in this section,  
163 the commissioner shall not consider as income federal Veterans Pension  
164 benefits, Housebound benefits, Survivors Pension benefits and Aid and  
165 Attendance [pension] benefits granted to a veteran, as defined in section  
166 27-103, or the surviving spouse of such veteran.

167 Sec. 7. Subsection (a) of section 17b-801 of the general statutes is  
168 repealed and the following is substituted in lieu thereof (*Effective July 1,*  
169 *2020*):

170 (a) The Commissioner of Social Services shall administer a state-  
171 appropriated fuel assistance program to provide, within available  
172 appropriations, fuel assistance to elderly and disabled persons whose  
173 household gross income is above the income eligibility guidelines for  
174 the Connecticut energy assistance program but does not exceed two  
175 hundred per cent of federal poverty guidelines. The income eligibility  
176 guidelines for the state-appropriated fuel assistance program shall be  
177 determined, annually, by the Commissioner of Social Services, in  
178 conjunction with the Secretary of the Office of Policy and Management.  
179 In determining eligibility, the commissioner shall not consider as  
180 income federal Veterans Pension benefits, Housebound benefits,  
181 Survivors Pension benefits and Aid and Attendance [pension] benefits  
182 granted to a veteran, as defined under section 27-103, or the surviving  
183 spouse of such veteran. The commissioner may adopt regulations, in

184 accordance with the provisions of chapter 54, to implement the  
185 provisions of this subsection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	17b-28i(a)
Sec. 2	<i>July 1, 2020</i>	17b-104(a)
Sec. 3	<i>July 1, 2020</i>	17b-191(c)
Sec. 4	<i>July 1, 2020</i>	17b-256f
Sec. 5	<i>July 1, 2020</i>	17b-261(a)
Sec. 6	<i>July 1, 2020</i>	17b-342(l)
Sec. 7	<i>July 1, 2020</i>	17b-801(a)

**Statement of Purpose:**

To exclude all veterans' pension benefits from income when determining eligibility for public assistance programs.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*